

1  
2  
3  
4 UNITED STATES DISTRICT COURT  
5 WESTERN DISTRICT OF WASHINGTON  
6 AT SEATTLE

7 LEO DURDEN,

8 Plaintiff,

9 v.

10 GEICO ADVANTAGE INSURANCE  
COMPANY,

11 Defendant.

C17-651 TSZ

MINUTE ORDER

12 The following Minute Order is made by direction of the Court, the Honorable  
Thomas S. Zilly, United States District Judge:

13 (1) Plaintiff's motion, docket no. 24, to supplement his response to defendant's  
14 motion for summary judgment is GRANTED. Although plaintiff's motion to supplement  
15 was improperly noted for the day after it was filed, defendant filed a substantive response  
16 within the time that would have been allowed if plaintiff's motion had been properly  
17 noted, and the Court therefore declines to strike plaintiff's motion to supplement. The  
supplemental materials submitted by plaintiff, namely the report of Robert B. Dietz and  
related documents, will be considered by the Court in deciding defendant's motion for  
summary judgment, along with defendant's objections to, and request to strike, such  
evidence.

18 (2) The Clerk is directed to send a copy of this Minute Order to all counsel of  
19 record.

20 Dated this 12th day of February, 2018.

21 William M. McCool  
Clerk

22 s/Karen Dews  
23 Deputy Clerk